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Date of Deposit: November 3, 2006

Attorney Docket No. 075067-0505

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT: Hoerr *et al.*  
TITLE: COMBINATION THERAPY FOR IMMUNOSTIMULATION  
SERIAL NUMBER 10/580746  
GROUP ART UNIT Unknown  
CONFIRMATION NUMBER Unknown  
FILING DATE August 31, 2005

MAIL STOP AMENDMENT  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

INFORMATION DISCLOSURE STATEMENT

Dear Sir:

Pursuant to the duty of disclosure under 37 C.F.R. §§1.56, 1.97 and 1.98, Applicants hereby make of record the documents listed on the attached modified Form PTO-1449 in the above-identified application. The order of presentation of the references should not be construed as an indication of the importance of the references.

The above-identified application is a U.S. national phase application, based on PCT/EP2005/009383, which entered the national stage on May 26, 2006. A copy of the International Search Report is included (submitted herein as reference C3). Copies of foreign-patent documents (references B1 and B2) and non-patent documents (references C1 and C2) cited in the International Search Report are also included.

It is respectfully requested that the Examiner consider completely the cited information, along with any other information, in reaching a determination concerning the patentability of the present claims, and signs the enclosed form PTO-1449 to evidence that the cited information has been fully considered by the Patent and Trademark Office during the examination of this application.

This Information Disclosure Statement is being filed:

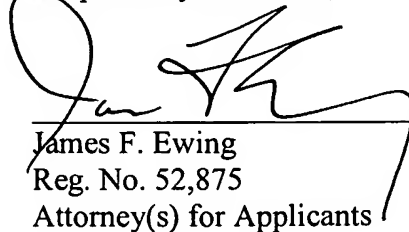
- ☐ within three months of the filing date of the National Application;
- ☒ prior to receipt of first office action on the merits; or
- ☐ within three months of receipt of art cited in a related foreign application.

Accordingly, no fee or certification is required. 37 C.F.R. §1.97.

By submitting this Information Disclosure Statement, the Applicant makes no representation that: (1) a search has been performed, of the extent of any search performed, or that more relevant information does not exist; (2) the information cited in the Statement is, or is considered to be, material to patentability as defined in 37 C.F.R. §1.56(b); and (3) the information cited in the Statement is, or is considered to be, in fact, prior art as defined by 35 U.S.C. § 102.

Notwithstanding any statements by the Applicant, the Examiner is urged to form his/her own conclusion regarding the relevance of the cited information. An early and favorable action is hereby requested. Please charge any additional fees that may be due, or credit any overpayment of same, to Deposit Account No. 50-3431, Reference No. 075067-0505.

Respectfully submitted,



Dated: November 3, 2006

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Form PTO-1449  
(MODIFIED)U.S. DEPARTMENT OF COMMERCE  
PATENT AND TRADEMARK OFFICE

ATTY. DOCKET NO.

075067-0505

SERIAL NO.

10/580746

## INFORMATION DISCLOSURE CITATION

APPLICANT

Hoerr et al.

FILING DATE

August 31, 2005

GROUP ART UNIT

(Use several sheets if necessary)

## U.S. PATENT DOCUMENTS

EXAMINER INITIAL	REF	DOCUMENT NUMBER	DATE	NAME	CLASS	SUB- CLASS	FILING DATE IF APPROPRIATE

## FOREIGN PATENT DOCUMENTS

	REF	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB- CLASS	TRANSLATION	
							YES	NO
	B1	CA 2473135 A1	06-26-2003	Canada	A61K	39/00	N/A	N/A
	B2	WO 04/092329 A2	10-28-2004	PCT	A61K	31/70	N/A	N/A

## OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

	C1	Schirmacher, V. et al., "Intra-pinna anti-tumor vaccination with self-replicating infectious RNA or with DNA encoding a model tumor antigen and a cytokine," Gene Therapy, Vol. 7, No. 13, Pgs 1137-1147 (July 2000).
	C2	Cheng, W. F. et al., "Enhancement of Sindbis virus self-replicating RNA vaccine potency by linkage of mycobacterium tuberculosis heat shock protein 70 gene to an antigen gene," J. Virol., Vol. 75, No. 5, pgs. 2368-2376 (March 2001).
	C3	International Search Report, PCT/EP2005/009383 (Classification A61K39/39, A61P35/00) (Date of mailing of International Search Report: Jan. 19, 2006) (Authorized officer: Krueger, J.).

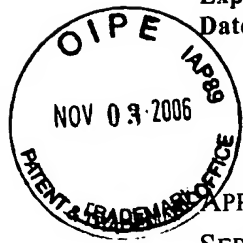
EXAMINER

DATE CONSIDERED

- EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include any copy of this form with next communication to applicant.

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**TRANSMITTAL LETTER**

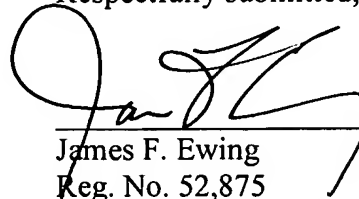
Dear Sir:

Transmitted herewith for filing in the above-referenced patent application are the following documents:

- ☒ Information Disclosure Statement;
- ☒ PTO Form 1449;
- ☒ Copies of Cited References B1, B2, C1, and C2;
- ☒ Copy of International Search Report (Reference C3); and
- ☒ Return Postcard

If the enclosed papers are considered incomplete, the Mail Room is respectfully requested to contact the undersigned collect at telephone (617) 342-4000. No fees are believed to be due.

Respectfully submitted,

  
\_\_\_\_\_  
James F. Ewing  
Reg. No. 52,875

Dated: November 3, 2006

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